

117TH CONGRESS
2^D SESSION

H. R. 5455

AN ACT

To amend the First Step Act of 2018 to permit defendants convicted of certain offenses to be eligible for reduced sentences, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Terry Technical Cor-
3 rection Act”.

4 **SEC. 2. APPLICATION OF FAIR SENTENCING ACT OF 2010.**

5 Section 404 of the First Step Act of 2018 (21 U.S.C.
6 841 note) is amended—

7 (1) in subsection (a)—

8 (A) by striking “‘covered offense’ means”
9 and inserting the following:

10 “‘covered offense’—

11 “(1) means”;

12 (B) by striking the period at the end and
13 inserting “; and”; and

14 (C) by adding at the end the following:

15 “(2) includes a violation, involving cocaine base,
16 of—

17 “(A) section 3113 of title 5, United States
18 Code;

19 “(B) section 401(b)(1)(C) of the Con-
20 trolled Substances Act (21 U.S.C.
21 841(b)(1)(C));

22 “(C) section 404(a) of the Controlled Sub-
23 stances Act (21 U.S.C. 844(a));

24 “(D) section 406 of the Controlled Sub-
25 stances Act (21 U.S.C. 846);

1 “(E) section 408 of the Controlled Sub-
2 stances Act (21 U.S.C. 848);

3 “(F) subsection (b) or (c) of section 409 of
4 the Controlled Substances Act (21 U.S.C. 849);

5 “(G) subsection (a) or (b) of section 418
6 of the Controlled Substances Act (21 U.S.C.
7 859);

8 “(H) subsection (a), (b), or (c) of section
9 419 of the Controlled Substances Act (21
10 U.S.C. 860);

11 “(I) section 420 of the Controlled Sub-
12 stances Act (21 U.S.C. 861);

13 “(J) section 1010(b)(3) of the Controlled
14 Substances Import and Export Act (21 U.S.C.
15 960(b)(3));

16 “(K) section 1010A of the Controlled Sub-
17 stances Import and Export Act (21 U.S.C.
18 960a);

19 “(L) section 90103 of the Violent Crime
20 Control and Law Enforcement Act of 1994 (34
21 U.S.C. 12522);

22 “(M) section 70503 or 70506 of title 46,
23 United States Code; or

1 “(N) any attempt, conspiracy or sollicita-
2 tion to commit an offense described in subpara-
3 graphs (A) through (M).”; and
4 (2) in subsection (c), by inserting “A motion
5 made under this section that was denied after a
6 court determination that a violation described in
7 subsection (a)(2) was not a covered offense shall not
8 be considered a denial after a complete review of the
9 motion on the merits within the meaning of this sec-
10 tion.” after the period at the end of the second sen-
11 tence.

Passed the House of Representatives November 29,
2022.

Attest:

Clerk.

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